

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated the 26th day of May, 1998

BEFORE

THE HON'BLE Mr. JUSTICE A.J. SADASHIVA

W.P.No.14591/98

BETWEEN :

K. Kariyappa, Hindu, major,
S/o Mr. K. Karedappa,
resident of Viswa Rupini,
Manjunatha Extension,
Millaghatta Channel left
side, Shimoga

.. PETITIONERS

(By Sri Jaypee Associates)

A N D

1. The State of Karnataka,
by its Secretary, Housing
and Urban Development Dept.,
M.S. Building, Bangalore.1.

2. The Chairman, Shimoga
Urban Development Authority,
Shimoga.

.. RESPONDENTS

(Sri K.H. Jagadeesh, G.A. for R1)

Writ Petition filed under Articles 226 and
227 of the Constitution of India praying to
quash the preliminary notification dated
12-11-92 (vide: Annexure-B) by respondent-2
and the impugned final notification dated
21-5-94 (vide: Annexure-E) by respondent-1.

This petition coming on for preliminary
hearing this day, after notice to R1, the
Court made the following:-

O R D E R

330

J U D G M E N T

It is admitted that the petitioner is only a holder of an agreement of sale executed by the ^{owner}holder in respect of certain lands. It is also admitted that the petition filed by the original owners in W.P.No.13323/95 challenging the notifications impugned in this petition has been dismissed. It is needless to state that the petitioner, who is a holder of an agreement of sale, is entitled only to claim compensation and that he has no locus standi to question the legality of the acquisition proceedings. Even otherwise, this petition is not maintainable in view of the dismissal of the Writ Petition filed by the vendor of the petitioner.

This petition, therefore, fails and accordingly rejected.

Sd/-
JUDGE

skn/050698

